

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**James F. Palma**  
**Bernadette Palma**  
Debtor(s)

Bankruptcy Case No.: 17-22525-GLT  
Issued Per 5/27/2021 Proceeding  
Chapter: 13  
Docket No.: 185 – 179  
Concil. Conf.: May 27, 2021 at 09:30 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated March 30, 2021 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$3,519.00 as of June, 2021. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on May 27, 2021 at 09:30 AM, in remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteewdpa.com.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: A Fee Application is needed if any fee (including retainer) exceeds \$4,000.00 including any fees paid to prior counsel.

Jefferson Hills Boro – No further payments due to PIF.

Allegheny County Claim No. 6–2: No further payments as PIF.

West Jefferson Hills SD: No further payments as PIF.

People Natural Gas to be paid as an admin priority per OE 3/31/2021 (Doc. 178).

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

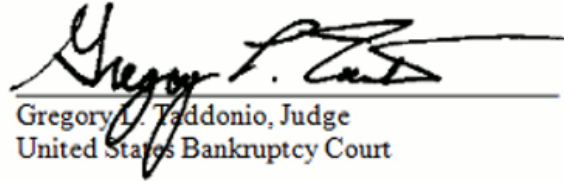
**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge  
United States Bankruptcy Court

Dated: May 28, 2021

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:  
James F. Palma  
Bernadette Palma  
Debtors

Case No. 17-22525-GLT  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: May 28, 2021

User: dbas  
Form ID: 149

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Total Noticed: 42

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 30, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ James F. Palma, Bernadette Palma, 401 Brierly Lane, Pittsburgh, PA 15236-4223
cr	+ County of Allegheny, Goehring, Rutter & Boehm, 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219 UNITED STATES 15219-6101
cr	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
cr	+ SELECT PORTFOLIO SERVICING, INC, PO Box 65250, Salt Lake City, UT 84165-0250
14658637	ALLEGHENY COUNTY, C/O TREASURER, RM 108 COURTHOUSE, Pittsburgh, PA 15219
14658641	+ BENEFICIAL, PO BOX 1099, Langhorne, PA 19047-6099
14646916	+ BENEFICIAL, C/O MACABE WEISBERG & CONWAY, STE 1400, 123 SOUTH BROAD STREET, Philadelphia, PA 19109-1060
14646915	BENEFICIAL, PO BOX 4153K, Carol Stream, IL 60197-4153
14658642	BORO OF PLEASANT HILLS, Attn: Fred Jug, c/o Lisa Burkhart, 1109 Grant Bldg, 310 Grant Street, Pittsburgh, PA 15219
14661467	+ Beneficial Consumer Discount Company (See 410), c/o HSBC Mortgage Services, Inc., P.O. Box 21188, Eagan, Minnesota 55121-0188
14658646	CITIFINANCIAL, C/O CARE DEPT, Fort Mill, SC 29715
14658647	+ CONCORD SERVICES CORP, 4150 DRINKWATER BLVD, STE 200, Scottsdale, AZ 85251-3643
14691900	+ County of Allegheny, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire, 437 Grant Street, 14th Floor, Frick Building Pittsburgh, PA 15219-6101
15293220	+ Goldman Sachs Mortgage Company, Serviced by Select Portfolio Servicing,, PO Box 65250, Salt Lake City, UT 84165-0250
14658657	+ JEFFERSON HILLS BOROUGH, c/o Tax Collector, PO Box 10931, Pittsburgh, PA 15236-0931
14711058	+ LSF10 Master Participation Trust, 13801 Wireless Way, Oklahoma City, OK 73134-2500
14658659	+ NASCO ROOFING & CONSTRUCTION, 1900 MCCARTNEY ROAD, Youngstown, OH 44505-5033
14693685	+ NCB Management Services, Inc., One Allied Drive, Trevoise, PA 19053-6945
14719936	UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
14658660	+ WEST JEFFERSON HILLS SD, c/o Tax Collector, PO Box 10931, Pittsburgh, PA 15236-0931

TOTAL: 20

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: acg.acg.ebn@americaninfosource.com	May 29 2021 02:05:09	Capital One Auto Finance, a division of Capital On, c/o Ascension Capital Group, P.O. Box 165028, Irving, TX 75016, UNITED STATES 75016-5028
14653786	+ Email/PDF: acg.acg.ebn@americaninfosource.com	May 29 2021 02:05:09	AIS Portfolio Services, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
14655084	+ Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	May 29 2021 00:50:00	AmeriCredit Financial Services, Inc., dba GM Finan, P O Box 183853, Arlington, TX 76096-3853
14650692	+ Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	May 29 2021 00:50:00	Americredit Financial Services, Inc. dba GM Finan, P O Box 183853, Arlington, TX 76096-3853
14658643	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	May 29 2021 02:03:58	CAPITAL ONE, PO BOX 71083, Charlotte, NC

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			28272-1083
14658644	+ Email/PDF: AIS.COAF.EBN@Americaninfosource.com	May 29 2021 02:05:14	CAPITAL ONE AUTO FINANCE, PO BOX 60511, City of Industry, CA 91716-0511
14658645	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	May 29 2021 02:03:59	CAPITAL ONE BANK, PO BOX 85619, Richmond, VA 23285-5619
14658648	Email/Text: ebnotifications@creditacceptance.com	May 29 2021 00:50:00	CREDIT ACCEPTANCE CORPORATION, 25505 WEST TWELVE MILE RD, Southfield, MI 48034
14658650	+ Email/Text: Banko@frontlineas.com	May 29 2021 01:47:00	CREDIT ONE BANK, C/O FRONTLINE ASSET STRATEGIES, 2700 SNELLING AVE, STE 250, Saint Paul, MN 55113-1783
14658649	Email/PDF: creditonebknottifications@resurgent.com	May 29 2021 02:03:59	CREDIT ONE BANK, PO BOX 60500, City Of Industry, CA 91716-0500
14658651	+ Email/PDF: creditonebknottifications@resurgent.com	May 29 2021 02:05:08	CREDIT ONE BANK, PO BOX 98873, Las Vegas, NV 89193-8873
14658652	+ Email/Text: bankruptcy@diamondresorts.com	May 29 2021 00:50:00	Diamond Resorts International, 10600 W. Charleston Blvd, Las Vegas, NV 89135-1260
14727781	+ Email/Text: kbarkley@bernsteinlaw.com	May 29 2021 01:47:00	Duquesne Light Company, c/o Allison L. Carr., Bernstein-Barkley, P.C., 707 Grant St., Suite 2200, Gulf Tower., Pittsburgh, PA 15219-1945
14658653	+ Email/Text: bankruptcydpt@mcmcg.com	May 29 2021 00:51:00	FINGERHUT, C/O MIDLAND CREDIT MANAGEMENT, PO BOX 60578, Los Angeles, CA 90060-0578
14658654	+ Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	May 29 2021 00:50:00	GM FINANCIAL, PO BOX 78143, Phoenix, AZ 85062-8143
14658655	+ Email/Text: sbse.cio.bnc.mail@irs.gov	May 29 2021 00:50:00	IRS, SPECIAL PROCEDURES BRANCH, 1000 Liberty Ave, Room 727, Pittsburgh, PA 15222-4107
14658656	+ Email/PDF: gecsedl@recoverycorp.com	May 29 2021 02:03:55	JC PENNEY, C/O SYCHRONY BANK, PO BOX 960090, ORLANDO, FL 32896-0090
14699482	Email/PDF: resurgentbknottifications@resurgent.com	May 29 2021 02:05:13	LVNV Funding, LLC its successors and assigns as, assignee of FNBK, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14658658	+ Email/PDF: MerrickBKNotifications@Resurgent.com	May 29 2021 02:03:53	MERRICK BANK, PO BOX 660702, Dallas, TX 75266-0702
14699607	Email/PDF: MerrickBKNotifications@Resurgent.com	May 29 2021 02:03:53	MERRICK BANK, Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
14702438	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	May 29 2021 02:04:01	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
14647867	+ Email/PDF: rmscedl@recoverycorp.com	May 29 2021 02:06:25	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTAL: 22

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		BENEFICIAL CONSUMER DISCOUNT COMPANY
cr		Duquesne Light Company
cr		LSF10 Master Participation Trust, by Caliber Home
cr		Legacy Mortgage Asset Trust 2020-GS5
cr	*+	AmeriCredit Financial Services, Inc., dba GM Finan, P O Box 183853, Arlington, TX 76096-3853
cr	*+	LSF10 Master Participation Trust, 13801 Wireless Way, Oklahoma City, OK 73134-2500

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cr	*+	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14658639	*+	BENEFICIAL, C/O MACABE WEISBERG & CONWAY, STE 1400, 123 SOUTH BROAD STREET, Philadelphia, PA 19109-1060
14658638	*	BENEFICIAL, PO BOX 4153K, Carol Stream, IL 60197-4153
14705339	*P++	PORTFOLIO RECOVERY ASSOCIATES LLC, PO BOX 41067, NORFOLK VA 23541-1067, address filed with court, Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
14658640	##	BENEFICIAL, PO BOX 1231, Brandon, FL 33509-1231

TOTAL: 4 Undeliverable, 6 Duplicate, 1 Out of date forwarding address

## NOTICE CERTIFICATION

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 30, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

**The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 28, 2021 at the address(es) listed below:**

Name	Email Address
Andrew K. Stutzman	on behalf of Defendant Beneficial Consumer Discount Company astutzman@stradley.com
Celine P. DerKrikorian	on behalf of Creditor BENEFICIAL CONSUMER DISCOUNT COMPANY ecfmail@mwc-law.com
Jeffrey R. Hunt	on behalf of Creditor County of Allegheny jhunt@grblaw.com cnoroski@grblaw.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Lauren Moyer	on behalf of Creditor BENEFICIAL CONSUMER DISCOUNT COMPANY ecfmail@ecf.courtdrive.com
Lauren Moyer	on behalf of Creditor LSF10 Master Participation Trust by Caliber Home Loans, Inc., solely in its capacity as servicer ecfmail@ecf.courtdrive.com
Maria Miksich	on behalf of Creditor Legacy Mortgage Asset Trust 2020-GS5 mmiksich@kmlawgroup.com
Michelle Badolato	on behalf of Defendant Beneficial Consumer Discount Company mbadolato@stradley.com bfecker@stradley.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
Russell A. Burdelski	on behalf of Debtor James F. Palma Russ@BurdelskiLaw.com russ.burdelski@gmail.com
Russell A. Burdelski	on behalf of Joint Debtor Bernadette Palma Russ@BurdelskiLaw.com russ.burdelski@gmail.com
Russell A. Burdelski	on behalf of Plaintiff Bernadette Palma Russ@BurdelskiLaw.com russ.burdelski@gmail.com
Russell A. Burdelski	on behalf of Plaintiff James F. Palma Russ@BurdelskiLaw.com russ.burdelski@gmail.com

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S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC [ecfpeoples@grblaw.com](mailto:ecfpeoples@grblaw.com) [Equitablebankruptcy@peoples-gas.com](mailto:Equitablebankruptcy@peoples-gas.com)

Sindi Mncina

on behalf of Creditor LSF10 Master Participation Trust [smncina@rascrane.com](mailto:smncina@rascrane.com)

TOTAL: 16